REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-14 are pending in the present application. Claims 1-14 are amended by the present amendment.

Claim amendments find support in the specification as originally filed at least at page 32, line 10 to page 33, line 16. Thus, it is believed no new matter is added.

In the outstanding Office Action, Claims 1-7 were rejected under 35 U.S.C. § 112, first paragraph; Claims 1-14 were rejected under 35 U.S.C. § 112, second paragraph; and Claims 1-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,578,066 to Logan et al. (herein "Logan") in view of Elz et al. (herein "Elz").

Initially, Applicant and Applicant's representative gratefully acknowledge the courtesy of a personal interview with the Examiner on October 4, 2005. During the interview, differences between the present invention and the references cited in the outstanding Office Action were discussed. Comments discussed during the interview are reiterated below.

Regarding the rejection of Claims 1-7 under 35 U.S.C. § 112, first paragraph, Applicant respectfully points out that the specification provides support for each of the claimed features. In particular, Applicant submits that the specification provides support for "selecting a domain name server . . . based at least on the IP address included in the server information and the start time of the domain name inquiry request." Applicant's specification at page 38, lines 18-24, describes obtaining an algorithm, which is used to make a selection between responses from different DNS servers that are identified in the server management table by their IP addresses, DA1 and DE1, as described in Applicant's specification at page 15, lines 8-12, and page 14, lines 18-24. Thus, Applicant respectfully submits that a selection

made between servers DA1 and DE1 is at least to some extent based on the IP address of the servers. As noted in Applicant's specification, the temporary inquiry processing table (see Figs. 8 and 9) may be used by the response selection section 15 to determine the start time of the domain name inquiry (e.g., temporary inquiry start time) as part of the server selection process.[1] Further, rejections regarding the server information changing means are rendered moot by claim amendments removing that feature. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

Regarding the rejection of Claims 1-14 under 35 U.S.C. § 112, second paragraph, Claims 1-14 are amended to more clearly recite the claimed features, in light of suggestions in the outstanding Office Action. Accordingly, Applicant respectfully requests that rejection also be withdrawn.

Applicant respectfully traverses the rejection of Claims 1-14 under 35 U.S.C. § 103(a) as unpatentable over Logan in view of Elz, with respect to the amended independent claims.

Amended Claim 1 is directed to a domain name system inquiry apparatus that includes, in part, server information receiving means for receiving server information regarding plural domain name system servers to which an inquiry can be made, request receiving means for receiving a first domain name inquiry request to a first domain name system server and a second domain name inquiry request to a second domain name system server in the domain name system servers from a client and for storing a start time of each domain name inquiry request. Further, the claimed apparatus includes response receiving means for receiving a first domain name inquiry response to the first domain name inquiry request from the first domain name server and a second domain name inquiry response to the second domain name inquiry request from the second domain name server after receiving the first domain name inquiry response. In addition, the claimed apparatus includes request

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[1] Specification at page 17, lines 8-10 and 17-20, and page 24, lines 17-25.

responding means for selecting the second domain name system server based at least on a priority of the second domain name system server being higher than a priority of the first domain name system server.

In a non-limiting embodiment of a domain name system (DNS) server selection process described in Applicant's specification, temporary responses are received from inquiry requests sent to different domain name server.[2] If a temporary response is a good temporary response among the obtained temporary responses, and a server having a priority higher than that of the server which responded with the good temporary response has not been received, the temporary response from that server is selected.[3] In other words, a selection of an inquiry response from a domain name system server is based at least in part on a priority of the domain name system server.

As discussed during the interview, Logan and Elz do not teach or suggest a domain name system server inquiry selection method that selects a server based on a priority of a server. Logan describes retrieving information from a network server but does not disclose any redundant DNS servers. Elz describes multiple DNS servers but is silent regarding any selection of an inquiry response between different DNS servers based on a priority of the DNS servers. Thus, Applicant respectfully submits that Logan and Elz, whether taken individually or in combination, fail to teach or suggest "request responding means for selecting the second domain name system server based at least on a priority of the second domain name system server being higher than a priority of the first domain name system server," as recited in amended independent Claims 1, 3, 5, 6, 8, 10, 12 and 13.

Accordingly, Applicant respectfully submits that independent Claims 1, 3, 5, 6, 8, 10, 12 and 13, and claims depending therefrom, are allowable.
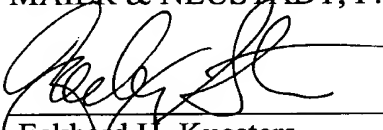
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[2] Specification at page 29, line 22 to page 39, line 15, and in particular, page 36, lines 16-21.
[3] Specification at page 32, line 13 to page 33, line 8.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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